

10/527671

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**IN THE UNITED STATES DESIGNATED/ELECTED OFFICE**

International Application No. : PCT/JP2003/011613  
International Filing Date : September 11, 2003  
Priority Date(s) Claimed : September 12, 2002  
Applicant(s) (DO/EO/US) : Tetsuo NAKANISHI et al.

Title: NOVEL ORGANOPOLYSILOXANE POLYMER, PASTY COMPOSITION, AN D  
COSMETIC PREPARATION CONTAINING THE SAME

**INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR §§ 1.56, 1.97 and 1.98**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This information disclosure statement is made in accordance with 37 C.F.R. §§ 1.56, 1.97 and 1.98 as follows:

**Timing and Fees**

- ☒ Under 37 C.F.R. § 1.97(b), no fee or statement is required for filing this information disclosure statement is filed:
- ☐ within three months of the filing date of a national application other than a CPA under § 1.53(d);
  - ☐ within three months of the actual filing date of the national phase of a PCT application; OR
  - ☒ before the mailing of a first substantive office action (including after filing of an RCE).
- ☐ Under 37 C.F.R. § 1.97(c), this information disclosure statement is filed after the periods specified in 37 C.F.R. § 1.97(b), but before the mailing date of:

a final rejection under 37 C.F.R. 1.113;  
termination of prosecution, e.g. Ex Parte Quayle, M.P.E.P. § 609(B)(2); OR  
a notice of allowance under 37 C.F.R. § 1.311; and

is accompanied by:

- ☐ the statement as specified in 37 C.F.R. § 1.97(e) set out below; OR
- ☐ a check covering the fee of \$180.00 under 37 C.F.R. § 1.17(p).

☐ Under 37 C.F.R. § 1.97(d), this information disclosure statement is filed after the mailing date of the following actions which have not been withdrawn:

- ☐ a final action under 37 C.F.R. § 1.113;
- ☐ termination of prosecution, e.g. Ex Parte Quayle, M.P.E.P. § 609(B)(2);
- ☐ OR a notice of allowance under 37 C.F.R. § 1.311;

AND is filed on or before payment of the issue fee; AND is accompanied by:

the statement as specified in 37 C.F.R. § 1.97(e) as set forth below, and the fee of \$180.00 under 37 C.F.R. § 1.17(p).

Statements Under 37 C.F.R. 1.97(e)

- ☐ Each item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application having a mailing date not more than three months prior to the filing date of this information disclosure statement; or
- ☐ No item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and to the knowledge of the undersigned attorney after making reasonable inquiry, no item of information contained in this information disclosure statement was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing date of the information disclosure statement.

Cited Materials

- ☐ Copies of materials listed but not attached were cited in benefit (35 U.S.C. § 120) ancestor application Serial No. \_\_\_\_\_, on Form 892 by the Examiner and/or Form 1449 by the applicant; see 37 C.F.R. § 1.98(d).
- ☒ Copies of materials listed but not attached were cited in an international search report dated August 31, 2005.
- ☐ Not required by 37 CFR § 1.98.
- ☐ Copies of the materials listed are attached (except for the foregoing).

Non-English Language References

- ☒ An English-language search report or equivalent paper from a foreign patent office is provided indicating the relevance of the cited reference(s).
- ☐ A foreign-language search report from a foreign patent office is provided, and pertinent parts are translated substantively below:
- X = document of particular relevance when it is taken alone  
Y = document of particular relevance when it is combined with another such document  
A = document defining the general state of the art  
O = non-written disclosure  
P = intercalated document  
T = document cited to understand the theory or principle underlying the invention  
E = patent document which has the benefit of a date earlier than the filing date and which was published only on or after this filing date  
D = cited in the application  
L = cited for another reason  
& = publication of member of same patent family

- ☐ Translation of other relevant information on foreign search report

[insert necessary translation here]

Other Information

Payment of Fees Due (If Any):

- ☐ A check for \$\_\_\_\_\_ covering the fee identified above is attached.
- ☐ Please charge to Deposit Account No. 13-3402 \$\_\_\_\_\_ for the fee identified above.

☒ The Commissioner is hereby authorized to charge or credit any overpayment to Deposit Account #13-3402, two copies of this paper are attached for this purpose.

Respectfully submitted,



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Attorney for Applicants

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Attorney Docket No.: TAKIT-196

Date: September 30, 2005

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Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet 1 of 2

**Complete if Known**

Application Number	10/527,671
Filing Date	March 11, 2005
First Named Inventor	Tetsuo NAKANISHI et al.
Group Art Unit	<del>Unknown</del> 4161
Examiner Name	<del>Unknown</del> Tigabu Kassa
Attorney Docket Number	TAKIT-196

**U.S. PATENT DOCUMENTS**

Examiner Initials <sup>1</sup>	Cite No. <sup>1</sup>	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY
		Number	Kind Code <sup>2</sup> (if known)		
/T.K./	1	2003199660			October 23, 2003
/T.K./	2	6365670			April 2, 2002
/T.K./	3	6531542			March 11, 2003
/T.K./	4	6388005			May 14, 2002
/T.K./	5	6461597			October 8, 2002
/T.K./	6	5023288			June 11, 1991
/T.K./	7	2004253197			December 16, 2004

**FOREIGN PATENT DOCUMENTS**

Examiner Initials <sup>1</sup>	Cite No. <sup>1</sup>	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>4</sup>
		Office <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)				
/T.K./	8	EP	1291376		Shin-Etsu Chemical Co.	March 12, 2003		Equv to cite 1
/T.K./	9	WO	0192375		Shin-Etsu Chemical Co.	December 6, 2001		Equv to cite 1
/T.K./	10	EP	1132430		Wacker-Chemie GmbH	September 12, 2001		Equv to cite 2
/T.K./	11	EP	1074575		Dow Corning Toray Silicone Co., Ltd.	February 7, 2001		Equv to cite 3
/T.K./	12	EP	1103574		Dow Corning Toray Silicone Co., Ltd.	May 30, 2001		Equv to cite 4
/T.K./	13	EP	1101487		Dow Corning Toray Silicone Co., Ltd.	May 23, 2001		Equv to cite 5
/T.K./	14	EP	0350951		Toray Silicone Company, Limited	January 17, 1990		Equv to cite 6
/T.K./	15	JP	2002114663		Kanebo Ltd.	April 16, 2002		
/T.K./	16	EP	1424365		Shin-Etsu Chemical Co.	June 2, 2004		Equv to cite 7
/T.K./	17	WO	03020828		Shin-Etsu Chemical Co.	March 13, 2003		Equv to cite 7

Examiner Signature

/Tigabu Kassa/

Date Considered

09/20/2008

<sup>1</sup> EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>2</sup> Unique citation designation number. <sup>3</sup> See attached Kinds of U.S. Patent Documents. <sup>4</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>5</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>6</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>7</sup> Applicant is to place a check mark here if English language Translation is attached. Number refers to English language corresponding family member.

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